

## Cestone, Paul

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**From:** eDiscovery, eDiscovery  
**Sent:** Monday, June 24, 2019 3:13 PM  
**To:** Cestone, Paul; Sherlock, Scott; Shannon, Julie  
**Cc:** eDiscovery, eDiscovery; eDAT; Zaylor, Emily; Baker, Steven C; Ju, Kristy (Eun-Mi); Smith, Jenn; Robinson, Milton; McCool, Catherine; Ahmed, Farhana; Huebner, Daniel; Kozee, Justin  
**Subject:** Response Needed: Preliminary Search Results for ED\_002696A\_EPA-HQ-2016-002082 - DesRoches FOIA re. communication between EPA and Monsanto

Good afternoon,

The Pre-Case Assessment for ED\_002696A\_EPA-HQ-2016-002082 - DesRoches FOIA re. communication between EPA and Monsanto is complete, please:

1. Confirm the search criteria listed below is correct; and
2. Confirm that the estimated results are acceptable to you and/or the subject matter expert for this matter. This estimate is being provided to allow you the opportunity, if needed, to further refine or adjust your search request, communicate with the requestor, and/or plan for the review of documents. If you have any questions, please feel free to reach out to Discovery Services ([eDiscovery@epa.gov](mailto:eDiscovery@epa.gov)).

Once we receive your confirmation, we will proceed to execute the search. In addition, with respect to your requested deadline, since SharePoint automatically puts a date of 10 days out from when the request was submitted and that field is not always accurately entered initially, we kindly request that you please provide us with any pending discovery deadlines, court ordered deadlines, or a more accurate FOIA deadline date.

For a tentative timetable, we expect to deliver your results within 10 business days of your PCA approval. Any delay in your approval will adversely affect our ability to deliver your results in a timely manner. We plan a 10 business day delivery timeline under the assumption that there are no collection, processing, or network interruptions/errors. If these errors occur, it may also adversely impact our delivery timeline. Please reach out to us if you have any questions.

### **The initial search returned an estimated 493 hits and an additional 3540 items which were not searchable.**

The 'hits' estimate represents emails or attachments in which one or more of the search terms or keywords submitted were found. This estimate only accounts for 'families', in which one more hit was found in the email and/or its attachments. That means it only counts 1 document or email, not the email and its attachments. Therefore, the final number of potentially responsive documents will likely be **2-3 times larger once loaded into the Relativity database**. Please note that this estimated number is subject to change at any time due to various factors on a live system.

The 3540 additional items which were not searchable (without additional processing that can be done at a later stage) represent those emails or attachments that are not text-searchable, such as image files or certain .PDF files. In addition, very large emails, attachments, or file types may not be searchable for this estimate. Once the search is approved and we proceed with the collection, it is our standard practice, unless instructed otherwise, to collect these 3540 additional items and search them, with the same search terms/keywords, using a different tool. Any results from that search will be loaded into the Relativity database for review, along with the original 493 hits.

### **Upon Confirmation, Discovery Services will Collect the Following:**

Outlook email for the following 6 custodians:

Blumenfeld, Jared  
Fisher, Lindai  
Jones, Jim  
Lewis, Susan  
Maddaloni, Mark  
Rowland, Jess

**Date Range:**

1/1/2013 - 6/20/2019

**Key Words:**

@monsanto.com

*Please note, **YOU MAY NOT BE DONE SEARCHING!** Please provide the important information below to all potential custodians, i.e. those individuals who may have potentially responsive documents.*

*The centralized search is run ONLY in the EPA's Microsoft Office 365 system, and the search results include all item types existing in Office 365, including but not limited to: Outlook email messages, Outlook Contacts, Outlook Meetings, Outlook Notes, Outlook Tasks, IM conversation history (Skype Chats), and loose Documents.*

*Depending on the request to which you are responding, you may still need to search other sources for potentially responsive information. Other possible sources include Lotus Notes mailboxes or calendars, other Lotus Notes databases, the Enterprise Content Management System (ECMS)<sup>[1]</sup>, the Correspondence Management System (CMS), local or shared computer drives, SharePoint sites, OneDrive, mobile devices (e.g., text messages and photographs, which are unique to the device), thumb drives, discs, paper files, and other locations where potentially responsive information may be found.*

*According to the Federal Records Act and EPA Policy, all messages sent on a personal messaging account such as a personal email account must be sent to the employee's epa.gov email account at the time of sending, or within 20 days of sending. If an employee has a message potentially responsive to a request that has yet to be transferred to an epa.gov account, the employee must forward that message to the employee's account and provide a copy of the forwarded message to the search lead for the request.*

Thank you,  
Discovery Service Team

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<sup>[1]</sup> If a responsive Outlook email message was saved to ECMS using EZ Records and deleted from the user's Outlook account, that document must be retrieved from ECMS.